

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**MICHAEL J. BELLEAU,
Plaintiff,**

v.

Case No. 12-C-1198

**KEVIN C. GREENE,
Defendant.**

PLAINTIFF'S UNOPPOSED, CIVIL LOCAL RULE 7.1(h), EXPEDITED, NON-DISPOSITIVE MOTION FOR EXTENSION OF TIME

Plaintiff, by undersigned counsel, respectfully moves the Court for an extension to time, to October 10, 2013, within which to file and serve an amended complaint for the reasons stated below:

1. This Court's May 13, 2013 Order (Doc. 11), denying defendant's motion to dismiss the plaintiff's *pro se* complaint, provided that plaintiff was to properly serve defendant within 120 days of the order (that is, by September 10, 2013).
2. In the interim plaintiff has obtained *pro bono* representation by the undersigned counsel, whose appearances (Doc. 28 & 29) were filed on August 9, 2013.
3. Counsel have prepared a draft amended complaint that will substitute other Wisconsin Department of Correction officials for the current defendant. In preparing that draft and having communicated with plaintiff, counsel now are conducting further investigation in order to set forth and clarify plaintiff's claims as against those officials. Given the demands of other cases, undersigned counsel seek a 30-day extension, to and including October 10, 2013, to file and serve the amended complaint.
4. Undersigned counsel has contacted counsel for defendant Greene to request additional time to complete the pre-amended-complaint investigation and are authorized to state that defendant Greene's counsel has indicated that he has no objection to this motion and also that upon filing of the amended complaint that he will admit service of the amended complaint for

the substituted defendants, who also will be represented by the Office of the Wisconsin Attorney General.

Date: August 23, 2013

By: /James A. Walrath

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